

setts, made the following announcement:

THE SPEAKER: The Chair wishes to announce that the gentleman from Michigan [Mr. Michener], whom he has just designated as Speaker pro tempore on Thursday and Monday next, has illness in his family which may preclude him from accepting the appointment; therefore, the Chair withdraws the designation and designates the gentleman from Indiana [Mr. Halleck] to act as Speaker pro tempore on Thursday and Monday next.

## § 12. Designation of Speaker Pro Tempore

The appointment of a Speaker pro tempore by simple designation—that is, without formal House approval—is permitted for periods that do not extend beyond three legislative days.<sup>(11)</sup> The Speaker<sup>(12)</sup> (or Speaker pro tempore)<sup>(13)</sup> may orally designate a Member as Speaker pro tempore

11. Rule I clause 7, House Rules and Manual § 633 (1973).

12. See § 12.1, *infra*.

13. See § 12.3, *infra*.

*Parliamentarian's Note:* Simple designation of a Speaker pro tempore is the Speaker's right under Rule I clause 7 of the House Rules and Manual. From the custom and the practice of the House, it is presumed that a Speaker pro tempore assumes this right upon entering the office.

either in open House<sup>(14)</sup> or informally and off the record. The designation must be in formal writing when the Speaker<sup>(15)</sup> (or Speaker pro tempore)<sup>(16)</sup> cannot be present at the beginning of a day's session.

The Speaker may, likewise, withdraw a designation of someone as Speaker pro tempore.<sup>(17)</sup>

The designated Speaker pro tempore is characteristically a “stand-in” Speaker. He must ordinarily seek the consent of the House before carrying out the more sensitive activities that a Speaker would handle without the House's consent and as a matter of course.<sup>(18)</sup>

Examples of the functions assumed by a designated Speaker pro tempore from the Speaker include: administering the oath of office to a Member-elect with the consent of the House;<sup>(19)</sup> appointing conferees with the unanimous consent of the House;<sup>(20)</sup> spreading upon the Journal a veto message from the President with the consent of the House;<sup>(1)</sup> referring

14. See illustrations under §§ 12.1, 12.3, *infra*.

15. See § 12.2, *infra*.

16. See § 12.4, *infra*.

17. See § 12.6, *infra*.

18. See §§ 12.8-12.14, *infra*.

19. See § 12.8, *infra*.

20. See §§ 12.9, 12.10, *infra*.

1. See § 12.11, *infra*.

Presidential messages to committees with the unanimous consent of the House;<sup>(2)</sup> appointing Members to attend funerals by direction of the Speaker and with the unanimous consent of the House;<sup>(3)</sup> and calling the House to order in the absence of the Speaker.<sup>(4)</sup>

Normally, but not always, it is the designated Speaker pro tempore who is elected Speaker pro tempore during the absence of the Speaker when certain functions require that the Speaker pro tempore be elected, and not simply designated.<sup>(5)</sup>

### *Oral Designation by Speaker*

#### **§ 12.1 A Speaker may orally designate a Speaker pro tempore.**

On Apr. 7, 1930,<sup>(6)</sup> Speaker Nicholas Longworth, of Ohio, made the following announcement:

THE SPEAKER: The Chair desires to prefer a request for unanimous consent. The Chair has in mind this afternoon to go to southern climes, frankly,

2. See §§ 12.12, 12.13, *infra*.

3. See § 12.14, *infra*.

4. See §§ 12.15, 12.16, *infra*.

5. See § 12.17, *infra*.

6. 72 CONG. REC. 6661, 71st Cong. 2d Sess.

for the purpose of rest and recreation for a few days. . . .

The Chair designates the gentleman from Connecticut [Mr. Tilson] to act as Speaker pro tempore for 3 days, and the Chair asks unanimous consent that thereafter, until the return of the Chair, which will in all probability be on Monday, the gentleman from Connecticut may be permitted to continue in that office. Is there objection?

There was no objection.

MR. [BERTRAND H.] SNELL [of New York]: Mr. Speaker, I offer a resolution and ask its immediate consideration.

THE SPEAKER: The gentleman from New York [Mr. Snell] offers a resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the designation of Hon. John Q. Tilson, a Representative from the State of Connecticut, as Speaker pro tempore be approved by the House and that the President and the Senate be notified thereof.

THE SPEAKER: The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

On Mar. 11, 1940,<sup>(7)</sup> Speaker William B. Bankhead, of Alabama, made the following announcement:

THE SPEAKER: In the event of the absence of The Speaker for the next 3 legislative days, the Chair designates the gentleman from Texas [Mr. Rayburn] as the Speaker pro tempore.

On Apr. 29, 1948,<sup>(8)</sup> Speaker Joseph W. Martin, Jr., of Massachu-

7. 86 CONG. REC. 2665, 76th Cong. 3d Sess.

8. 94 CONG. REC. 5036, 80th Cong. 2d Sess.

setts, made the following announcement:

THE SPEAKER: The Chair wishes to state that he appoints as Speaker pro tempore for the balance of the week the Honorable Charles A. Halleck, of Indiana

On Sept. 14, 1962,<sup>(9)</sup> Speaker John W. McCormack, of Massachusetts, made the following announcement:

THE SPEAKER: The Chair will be absent on Monday and Tuesday of next week and designates as Speaker pro tempore on Monday and Tuesday the gentleman from Oklahoma, Mr. Albert.

### ***Written Designation by Speaker***

#### **§ 12.2 A Speaker who is absent at the beginning of a day's session may designate a Speaker pro tempore in formal writing.**

On June 1, 1961,<sup>(10)</sup> the proceedings below took place in the House:

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. McCormack.

THE SPEAKER PRO TEMPORE: The Clerk will read the following communication [from Speaker Rayburn].

The Clerk read as follows:

9. 108 CONG. REC. 19516, 87th Cong. 2d Sess.

10. 107 CONG. REC. 9330, 87th Cong. 1st Sess.

I hereby designate the Honorable John W. McCormack to act as Speaker pro tempore today.

SAM RAYBURN,  
*Speaker.*

On July 5, 1962,<sup>(11)</sup> the following action took place in the House:

THE SPEAKER PRO TEMPORE: (Mr. Albert) laid before the House the following communication from [Speaker McCormack], which was read:

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. MCCORMACK,  
*Speaker.*

On Dec. 27, 1963,<sup>(12)</sup> Speaker John W. McCormack, of Massachusetts, was absent at the beginning of the session and designated in writing Carl Albert, of Oklahoma, to be Speaker pro tempore for the day:

The House met at 12 o'clock noon and was called to order by The Speaker pro tempore (Mr. Albert).

THE SPEAKER PRO TEMPORE (Mr. Albert): The Clerk will read the following communication.

The Clerk read as follows:

#### THE SPEAKER'S ROOMS

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. MCCORMACK,  
*Speaker.*

11. 108 CONG. REC. 12703, 87th Cong. 2d Sess.

12. 109 CONG. REC. 25591, 88th Cong. 1st Sess.

***Oral Designation by Speaker Pro Tempore***

**§ 12.3 A Speaker pro tempore may orally designate another Speaker pro tempore.**

On Sept. 27 (legislative day, Sept. 25), 1961,<sup>(13)</sup> elected Speaker pro tempore John W. McCormack, of Massachusetts, orally designated Representative Carl Albert, of Oklahoma, as Speaker pro tempore during Mr. McCormack's comments on the first session of the 87th Congress.

***Written Designation by a Speaker Pro Tempore***

**§ 12.4 If a Speaker pro tempore is to be absent at the beginning of a day's session, he may exercise his right to designate another Speaker pro tempore, but only in writing.**

On June 20, 1932,<sup>(14)</sup> the elected Speaker pro tempore Henry T. Rainey, of Illinois, designated in writing a Speaker pro tempore for the day.

The House was called to order at 12 o'clock noon by the Clerk of the House of Representatives.

The Clerk read the following communication from the Speaker pro tempore [Mr. Rainey].

13. 107 CONG. REC. 21545, 87th Cong. 1st Sess.

14. 75 CONG. REC. 13502, 72d Cong. 1st Sess.

THE SPEAKER'S ROOMS,  
*House of Representatives of the United States, Washington, D.C.*

I hereby designate Hon. William B. Bankhead to act as Speaker pro tempore today.

HENRY T. RAINEY,  
*Speaker pro tempore.*

Mr. Bankhead took the Chair as Speaker pro tempore.<sup>(15)</sup>

On Dec. 26, 1940,<sup>(16)</sup> elected Speaker pro tempore William P. Cole, Jr., of Maryland, designated in writing another Speaker pro tempore to serve for the day.

The House met at 12 o'clock noon, and was called to order by The Speaker pro tempore, Mr. Ramspeck.

The Clerk read the following communication from The Speaker pro tempore, Mr. Cole of Maryland:

THE SPEAKER'S ROOM,  
*The House of Representatives, United States, Washington, D.C.*

I hereby designate Hon. Robert Ramspeck to act as Speaker pro tempore today.

15. *Parliamentarian's Note*: On June 13, 1932, upon being advised by the doctor that The Speaker would not be able to attend for several days, Mr. Crisp (Ga.) offered a resolution electing Mr. Rainey as Speaker pro tempore. Mr. Crisp administered the oath to Mr. Rainey as Speaker pro tempore. Mr. Rainey under the terms of the resolution electing him served as Speaker pro tempore until June 21 when The Speaker returned to his duties. On June 18, however, Mr. Rainey, finding it necessary to be absent on June 20, designated Mr. Bankhead (Ala.) as Speaker pro tempore.

16. 86 CONG. REC. 14000, 76th Cong. 3d Sess.

WILLIAM P. COLE, JR.,  
*Speaker pro tempore.*

### ***Reasons for Designation***

#### **§ 12.5 A Speaker may designate a Speaker pro tempore for various reasons, including illness.**

On Aug. 31, 1961,<sup>(17)</sup> Speaker Sam Rayburn, of Texas, designated in writing Representative Carl Albert, of Oklahoma, to act as Speaker pro tempore for the day. Mr. Rayburn was leaving to go to his home because he was ill.<sup>(18)</sup>

### ***Withdrawal of Designation***

#### **§ 12.6 The designation of a Speaker pro tempore may be withdrawn.**

On Apr. 2, 1947,<sup>(19)</sup> Speaker Joseph W. Martin, Jr., of Massachusetts, made the following announcement:

THE SPEAKER: The Chair wishes to announce that the gentleman from

17. 107 CONG. REC. 17765, 17766, 87th Cong. 1st Sess.

18. *Parliamentarian's Note*: Speaker Rayburn last presided over the House on Aug. 30, 1961. On Nov. 16, 1961, he died in Bonham, Tex.

For other examples of the reasons for designating a Speaker pro tempore, see §§12.1, *supra*, and 12.7, *infra*.

19. 93 CONG. REC. 3075, 80th Cong. 1st Sess.

Michigan [Mr. Michener], whom he has just designated as Speaker pro tempore on Thursday and Monday next, has illness in his family which may preclude him from accepting the appointment; therefore, the Chair withdraws that designation and designates the gentleman from Indiana [Mr. Halleck] to act as Speaker pro tempore on Thursday and Monday next.

### ***Designation of Minority Party Member***

#### **§ 12.7 On rare ceremonial occasions, a Speaker may designate a member of the minority party as Speaker pro tempore.**

On Jan. 31, 1951,<sup>(1)</sup> Speaker Sam Rayburn, of Texas, was praised for his record of service as Speaker of the House. At that time, he requested a member of the minority party, Mr. Joseph W. Martin, Jr., of Massachusetts, to take the Chair:

THE SPEAKER: The Chair will ask the gentleman from Massachusetts [Mr. Martin] to kindly take the chair at this time.

Mr. Martin assumed the Chair.

### ***Duties, Powers, and Functions***

#### **§ 12.8 A designated Speaker pro tempore, in the absence of The Speaker, may admin-**

1. 97 CONG. REC. 778, 82d Cong. 1st Sess.

**ister to a Member-elect his oath of office.**

On Mar. 11, 1940,<sup>(2)</sup> Speaker William B. Bankhead, of Alabama, orally designated Representative Sam Rayburn, of Texas, as Speaker pro tempore in the event of his absence for the ensuing three legislative days. On Mar. 12, 1940,<sup>(3)</sup> in the absence of The Speaker, Speaker pro tempore Rayburn administered to a Member-elect his oath of office by unanimous consent of the House:

THE SPEAKER PRO TEMPORE: The present occupant of the chair will administer the oath of office to the Member-elect if there is no objection.

There being no objection [the Member-elect] appeared at the bar of the House and took the oath of office.

**§ 12.9 A designated Speaker pro tempore is authorized to appoint conferees only with the unanimous consent of the House.**

On May 28, 1959,<sup>(4)</sup> Speaker pro tempore John W. McCormack, of Massachusetts, with the unanimous consent of the House appointed conferees. The proceedings were as follows:

MR. [BRENT] SPENCE [of Kentucky]: Mr. Speaker, I ask unanimous consent

2. 86 CONG. REC. 2665, 76th Cong. 3d Sess.
3. 86 CONG. REC. 2724, 76th Cong. 3d Sess.
4. 105 CONG. REC. 9334, 86th Cong. 1st Sess.

to take from the Speaker's desk the bill (S. 1094) to amend the Bretton Woods Agreements Act, with House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from Kentucky?

There was no objection.

THE SPEAKER PRO TEMPORE: Without objection, the Chair appoints the following conferees: Messrs. Spence, Brown of Georgia, Patman, Rains, Kilburn, Widnall, and Hiestand.

There was no objection.

On Oct. 9, 1969,<sup>(5)</sup> the designated Speaker pro tempore appointed conferees with the unanimous consent of the House. The proceedings were as follows:

MR. [ROBERT E.] JONES of Alabama: Mr. Speaker, I ask unanimous consent to take from The Speaker's table the bill (H.R. 4148) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

THE SPEAKER PRO TEMPORE [Richard Bolling, of Missouri]: Is there objection to the request of the gentleman from Alabama? The Chair hears none, and, without objection, appoints the following conferees: Messrs. Blatnik, Jones of Alabama, Wright, Fallon, Cramer, Harsha, and Grover.

There was no objection.

5. 115 CONG. REC. 29346, 91st Cong. 1st Sess.

On July 8, 1970,<sup>(6)</sup> The Speaker pro tempore, Hale Boggs, of Louisiana, appointed conferees by unanimous consent of the House.

MR. [JOSEPH L.] EVINS of Tennessee: Mr. Speaker, I ask unanimous consent to take from The Speaker's table the bill (H.R. 17548) . . . with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate. . . .

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from Tennessee? The Chair hears none, and, without objection, appoints the following conferees: Messrs. Evins of Tennessee, Boland, Shipley, Giaimo, Marsh, Pryor of Arkansas, Mahon, Jonas, Talcott, McDade, Del Clawson, and Bow.

There was no objection.

On Oct. 8, 1970,<sup>(7)</sup> Speaker pro tempore Charles M. Price, of Illinois, appointed conferees with the unanimous consent of the House.

MR. [PAUL G.] ROGERS of Florida: Mr. Speaker, I ask unanimous consent to take from The Speaker's table the bill (H.R. 18583) to amend the Public Health Service Act . . . with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from Florida? The Chair hears none, and, without objection, appoints

the following conferees: Messrs. Staggers, Jarman, Rogers of Florida, Satterfield, Springer, Nelsen, and Carter.

There was no objection.

**§ 12.10 A designated Speaker pro tempore is authorized to appoint additional conferees on a bill only with unanimous consent of the House.**

On Apr. 29, 1948,<sup>(8)</sup> unanimous consent was requested to authorize the designated Speaker pro tempore, Charles A. Halleck, of Indiana, to appoint additional conferees on a bill. Without objection the designated Speaker pro tempore appointed additional conferees.

MR. [PAUL W.] SHAFER [of Michigan]: Mr. Speaker, I ask unanimous consent that The Speaker pro tempore be authorized to appoint two additional conferees on the bill (S. 1641) to establish the Women's Army Corps in the regular Army, to authorize the enlistment and appointment of women in the regular Army and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes.

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and, without objection, appoints the gentleman from New York [Mr. Andrews] and the gentleman from Texas [Mr. Johnson].

There was no objection.

6. 116 CONG. REC. 23141, 91st Cong. 2d Sess.

7. 116 CONG. REC. 35866, 35867, 91st Cong. 2d Sess.

8. 94 CONG. REC. 5066, 80th Cong. 2d Sess.

THE SPEAKER PRO TEMPORE: The Clerk will notify the Senate thereof.

**§ 12.11 A designated Speaker pro tempore may order spread upon the Journal the veto message of a President.**

On Sept. 13, 1966,<sup>(9)</sup> Speaker pro tempore Hale Boggs, of Louisiana, ordered a veto message of the President spread upon the Journal with the unanimous consent of the House.

The Speaker pro tempore laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

. . . In returning this measure, I do so in the hope that the Congress will adopt the insurance proposals I submitted earlier. Such a measure would be fiscally responsible. It would be consistent with the wage-price guide posts. I would be proud to sign it.

LYNDON B. JOHNSON,  
*The White House,*  
*September 12, 1966.*

THE SPEAKER PRO TEMPORE: Without objection, the objections of the President will be spread at large upon the Journal.

There was no objection.

**§ 12.12 A designated Speaker pro tempore refers a Presidential message to committee only with unanimous consent of the House.**

9. 112 CONG. REC. 22411, 89th Cong. 2d Sess.

On Aug. 31, 1967,<sup>(10)</sup> Speaker pro tempore Carl Albert, of Oklahoma, referred a Presidential message to committee with unanimous consent of the House:

The Speaker pro tempore (Mr. Albert) laid before the House the following message from the President of the United States, which was read, as follows:

*To the Congress of the United States:*

I am pleased to transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal Year ended June 30, 1966, in accordance with section 6 of the Trading With the Enemy Act.

LYNDON B. JOHNSON,  
*The White House,*  
*August 31, 1967.*

THE SPEAKER PRO TEMPORE (Mr. Albert): Without objection, the message, together with the accompanying papers, is referred to the Committee on Interstate and Foreign Commerce.

There was no objection.

**§ 12.13 A designated Speaker pro tempore refers a Presidential message to committee and orders it printed (sometimes with illustrations) only with the unanimous consent of the House.**

On Sept. 8, 1966,<sup>(11)</sup> Speaker pro tempore Hale Boggs, of Louisiana, laid before the House a

10. 113 CONG. REC. 24843, 24844, 90th Cong 1st Sess.

11. 112 CONG. REC. 22049-52, 89th Cong. 2d Sess.



message from the President and, without objection, referred the message to a committee and ordered it printed.

On Apr. 21, 1970,<sup>(12)</sup> Speaker pro tempore Robert O. Tiernan, of Rhode Island, referred a Presidential message to committee and ordered it printed with the unanimous consent of the House.

On Jan. 24, 1966,<sup>(13)</sup> Speaker John W. McCormack, of Massachusetts, laid before the House a message from the President. Speaker McCormack having left the Chair during the reading of the message from the President, the designated Speaker pro tempore referred the message to committee and ordered it printed, with illustrations.

**§ 12.14 A designated Speaker pro tempore appoints Members to attend a funeral following the directions of the Speaker and with the unanimous consent of the House.**

On Nov. 25, 1963,<sup>(14)</sup> designated Speaker pro tempore James C. Wright, Jr., of Texas, appointed a committee of 100 Members of the

12. 116 CONG. REC. 12581, 91st Cong. 2d Sess.

13. 112 CONG. REC. 909-17, 89th Cong. 2d Sess.

14. 109 CONG. REC. 22695, 22696, 88th Cong. 1st Sess.

House to attend the funeral of President John F. Kennedy, following the directions of the Speaker and with the unanimous consent of the House.

**§ 12.15 A designated Speaker pro tempore calls the House to order in the absence of the Speaker.**

On June 1, 1961,<sup>(15)</sup> Representative John W. McCormack, of Massachusetts, having been designated in writing as Speaker pro tempore by Speaker Sam Rayburn, of Texas, called the House to order in the absence of the Speaker.

**§ 12.16 A designated Speaker pro tempore calls the House to order at the beginning of a session of Congress in the absence of the Speaker.**

On Jan. 10, 1966,<sup>(16)</sup> Speaker John W. McCormack, of Massachusetts, being absent because of the death of his brother,<sup>(17)</sup> designated Speaker pro tempore Carl

15. 107 CONG. REC. 9330, 87th Cong. 1st Sess.

16. 112 CONG. REC. 5, 89th Cong. 2d Sess.

17. *Parliamentarian's Note:* Speaker John W. McCormack was not in Washington for the convening of the second session of the 89th Congress because of the death of his brother, Donald J. McCormack.

Albert, of Oklahoma, called the House to order at the beginning of the session of the Congress, and laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,  
U.S. House of Representatives,  
Washington, D.C.

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. MCCORMACK,  
*Speaker.*

### ***Time for Election of Designee***

#### **§ 12.17 A designated Speaker pro tempore is elected by the House as Speaker pro tempore during the absence of the Speaker when the need arises for the performance of certain functions.**

On Aug. 31, 1961,<sup>(18)</sup> the following actions took place in the House:

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. [Carl] Albert [of Oklahoma]).

THE SPEAKER PRO TEMPORE: The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

**18.** 107 CONG. REC. 17765, 17766, 87th Cong. 1st Sess.

AUGUST 31, 1961.

THE SPEAKER'S ROOMS,  
House of Representatives,  
Washington, D.C.

I hereby designate Hon. Carl Albert to act as Speaker pro tempore today.

SAM RAYBURN,  
*Speaker.*

\* \* \* \* \*

MR. [FRANCIS E.] WALTER [of Pennsylvania]: Mr. Speaker, I send to the Speaker's table a resolution (H. Res. 445) and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 445

*Resolved*, That Hon. John W. McCormack, a Representative from the State of Massachusetts, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

*Resolved*, That the President and the Senate be notified by the Clerk of the election of Hon. John W. McCormack as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Hon. John W. McCormack assumed the Chair and the oath of office was administered to him by Mr. Walter.<sup>(19)</sup>

**19.** *Parliamentarian's Note:* Speaker Sam Rayburn last presided over the House on Wednesday, Aug. 30, 1961, during a call of Calendar Wednesday business. Because of illness, he departed for his home in Bonham, Tex., on the morning of Aug. 31. Speaker Rayburn died there on Nov. 16, 1961.

On Nov. 18, 1963,<sup>(1)</sup> Speaker John W. McCormack, of Massachusetts, in writing designated Carl Albert, of Oklahoma, to act as Speaker pro tempore for the day.<sup>(2)</sup> After laying the designation before the House, Mr. Albert designated another Speaker pro tempore to serve during his election as Speaker pro tempore in the absence of the Speaker.<sup>(3)</sup>

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. Albert.

The Speaker pro tempore laid before the House the following communication from [Speaker McCormack]:

THE SPEAKER'S ROOM

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN T. MCCORMACK,  
*Speaker.*

\* \* \* \* \*

Mr. [Hale] Boggs [of Louisiana] assumed the chair.

MR. [CARL] VINSON [of Georgia]: Mr. Speaker, I send to the desk a privi-

1. 109 CONG. REC. 22015, 88th Cong. 1st Sess.
2. *Parliamentarian's Note:* Speaker McCormack's brother, Edward, died in Boston on Sunday, Nov. 17. The Speaker remained in Boston until Nov. 21.
3. *Parliamentarian's Note:* Although the Congressional Record does not explicitly refer to Mr. Albert's designation of a second Speaker pro tempore, such in fact did take place.

leged resolution and ask for its immediate consideration.

The Clerk read the resolution [H. Res. 567] as follows:

*Resolved,* That Honorable Carl Albert, a Representative from the State of Oklahoma, be, and he is hereby elected Speaker pro tempore during the absence of the Speaker.

*Resolved,* That the President and the Senate be notified by the Clerk of the election of Honorable Carl Albert as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

The motion to reconsider was laid on the table.

Mr. Albert resumed the chair.

MR. ALBERT: The Chair requests the gentleman from Georgia, dean of the House, to administer the oath. Mr. Albert took the oath of office as Speaker pro tempore administered by Mr. Vinson.

On Jan. 10, 1966,<sup>(4)</sup> Speaker John W. McCormack, of Massachusetts, was absent because of the death of his brother. Speaker McCormack designated in writing a Speaker pro tempore for the day. The designated Speaker pro tempore was elected Speaker pro tempore during the absence of the Speaker.<sup>(5)</sup>

4. 112 CONG. REC. 5, 6, 89th Cong. 2d Sess.
5. *Parliamentarian's Note:* Since the duration of The Speaker's absence was uncertain and since there were new Members present to be sworn, the House chose to elect a Speaker pro tempore.

. . . [T]he Members of Congress met in their hall, and at 12 o'clock were called to order by the Speaker pro tempore Hon. Carl Albert, a Representative from the State of Oklahoma.

The Speaker pro tempore (Mr. Albert) laid before the House the following communication:

THE SPEAKER'S ROOMS,  
*U.S. House of Representatives,*  
*Washington, D.C.*

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. MCCORMACK,  
*Speaker.*

\* \* \* \* \*

THE SPEAKER PRO TEMPORE: The Chair requests the gentleman from Louisiana [Mr. Boggs] to assume the Chair.

Mr. Boggs assumed the Chair as Speaker pro tempore.

THE SPEAKER PRO TEMPORE: (Mr. Hale Boggs): The Chair recognizes the gentleman from New York [Mr. Keogh].

MR. [EUGENE J.] KEOGH: Mr. Speaker, on account of the unavoidable absence of The Speaker due to the death of his beloved brother, and at his request, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 627

*Resolved*, That Hon. Carl Albert, a Representative from the State of Oklahoma, be, and he is hereby, elected Speaker pro tempore during the absence of The Speaker.

*Resolved*, That the President and the Senate be notified by the Clerk

of the election of the Honorable Carl Albert as Speaker pro tempore during the absence of The Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Albert assumed the Chair as Speaker pro tempore and Mr. Celler administered the oath of office.

## § 13. —House Approval

The House rules provide:

[The Speaker] shall have the right to name any Member to perform the duties of the Chair, but such substitution shall not extend beyond three legislative days: *Provided*, however, That in case of his illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made. . . .<sup>(6)</sup>

The approval of the House has been obtained by The Speaker pursuant to a unanimous-consent request where The Speaker, though not ill, wished to appoint a Speaker pro tempore who could serve beyond three legislative days<sup>(7)</sup> and to allow a designated Speaker pro tempore to sign enrolled bills during the period of his designation.<sup>(8)</sup>

Because of this procedure's infrequent use in modern times it

6. Rule I clause 7 of the *House Rules and Manual* § 633 (1973).

7. See § 13.1, *infra*.

8. See § 13.2, *infra*.